

AMENDMENT TO THE CLAIMS

CLAIM 1 (currently amended):

1. Apparatus for transmitting VBR (Variable Bit-Rate) and CBR (Constant Bit-Rate) Packets over a telecommunications network, comprising:
 - means for separating VBR data from CBR data;
 - means for combining a limited amount of CBR data with an additional amount of VBR data to form a frame of data; ~~and~~
 - means for dynamically altering a limit on the amount of CBR data that is combined into each frame; and
 - means for transmitting said frame of data to a telecommunications network;
 - wherein said limit on the amount of CBR data that is combined into each frame is adjusted in response to the amount of CBR data waiting to be transmitted.

CLAIM 2 (original):

2. The apparatus of Claim 1, wherein said frame is an xDSL Frame.

CLAIM 3 (canceled)

CLAIM 4 (canceled)

CLAIM 5 (currently amended):

5. The apparatus of Claim 4 1 wherein said means for dynamically ~~adjusting~~ altering further comprises:
 - means for adjusting said limit as new traffic is generated, or old traffic is terminated.

CLAIM 6 (canceled)

CLAIM 7 (canceled)

CLAIM 8 (original):

8. The apparatus of Claim 1, wherein said telecommunications network is an Internet Protocol (IP) Network.

CLAIM 9 (original):

9. The apparatus of Claim 1, further comprising means for identifying a priority level for each packet;

wherein said telecommunications network routes each marked packet according to its priority marking.